No. 09-433

IN THE

Supreme Court of the United States

Kenneth B. Wills,

Petitioner,

v.

Postmaster General,

Respondent.

On Petition for Writ of Certiorari to the United States Court of Appeals for the Eleventh Circuit

PETITION FOR REHEARING

DARYL D. PARKS
Counsel of Record
BENJAMIN L. CRUMP
Parks and Crump, LLC
240 North Magnolia Drive
Tallahassee, Florida 32303
Counsel for Petitioner

TABLE OF CONTENTS

Page

TABLE OF AUTHORITIES..... ii

PETITION FOR
REHEARING.....1-19

DISCUSSION.....1

CONCLUSION.....18

CERTIFICATE OF GOOD FAITH BY COUNSEL.....19

TABLE OF AUTHORITIES

Page(s)

Cases

Burlington N. & Santa Fe. Ry. Co. v. White, 548 U.S. 53 (2006).....1-6, 14

Goldsmith v. Bagby Elevator Co., 513 F.3d 1261 (11th Cir. 2008)..... 4

Mitchell v. Robert DeMario Jewelry, 361 U.S. 288 (1960).....2

NLRB v. Weingarten, Inc., 420 U.S. 251 (1975).....7

Robinson v. Shell Oil, 519 U.S. 337 (1997).....2.3

Texas Dep't of Community Affairs v. Burdine, 450 U.S. 248 (1981).....5

Statutes

Civil Rights Act, Title VII, 42 U.S.C.S. Section 2000e-3(a) (2009) 4

National Labor Relations Act, 29 U.S.C.S Sections 157 & 158(a)(1)(2)(4)(2009).....7

I. PETITION FOR REHEARING

Petitioner Kenneth Wills comes before this Court pursuant to Rule 44.2, and respectfully requests that this Court grants his Petition for Rehearing.

II. DISCUSSION

Petitioner worked as a postal employee with the United States Postal Service for fifteen years, during which time Respondent subjected Petitioner to harassment and discrimination based on his race, disability, and retaliated against him when he pursued remedial measures under Title VII of the Civil Rights Act. Respondent retaliated against Petitioner by denying his right to participate in union activity and his Weingarten rights, a Plant Manager threatened to "put a bullet in his head," and perhaps most egregiously, Respondent directed Petitioner's mail carrier to tamper with his mail. While still employed by Respondent, Petitioner's mail carrier Percy G. Lewis signed a sworn affidavit stating that Respondent ordered him to

tamper with Petitioner's mail. *See Appendix A, Affidavit of Percy G. Lewis.*

Petitioner's case falls within the purview of the legal precedents recently established in *Burlington N. v. White*, broadening Title VII's anti-retaliation provision to prevent employer's from interfering with employee's unfettered access to Title VII's remedial measures to enforce its substantive provisions. *Burlington N. & Santa Fe. Ry. Co. v. White*, 548 U.S. 53, 56 (2006) *see Robinson v. Shell Oil*, 519 U.S. 337, 346 (1997). This Court found that "Title VII depends for its enforcement upon the cooperation of employees who are willing to file complaints and act as witnesses[;]...'...effective enforcement could thus only be expected if employees felt free to approach officials with their grievances.'" *Burlington N.* at 67 *citing in part Mitchell v. Robert DeMario Jewelry*, 361 U.S. 288 (1960). Most poignantly, this Court sought to resolve the incongruous application of the anti-retaliation statute within United States district courts and circuit courts of appeal by shedding light on two issues: 1) whether the

provision forbids only employer actions and resulting harms related to employment or the workplace and 2) the level of harm necessary to fall within the scope of the provision. *Burlington N.* at 61.

After considering the first issue this Court held that "a provision limited to employment-related actions would not deter the many forms that effective retaliation can take," and would not fulfill that statute's primary purpose of providing an employee's "unfettered access to statutory remedial mechanisms." *Id.* at 64 *citing Robinson* at 346. Thus, this Court chose not to limit the actions and harms forbidden by the anti-retaliation statute to those which relate to employment or occur at the workplace. On the second inquiry, this Court established that the level of harm actionable extends to employer actions that could "well dissuade a reasonable worker from making or supporting a charge of discrimination." *Id.* at 57. Petitioner's claims fall squarely within the purview of protection this Court sought to extend to employee's pursuing enforcement of their Title VII substantive rights.

A. Respondent Retaliated Against Petitioner for Filing an EEOC Claim.

Under Title VII the anti-retaliation provision prohibits an employer from discriminating against an employee for opposing any practice made unlawful by Title VII or for making a charge or participating in a Title VII proceeding or investigation. 42 U.S.C. Section 2000e-3(a); *Burlington N.* at 56. To state a *prima facie* case of retaliation an employee must prove that: he engaged in statutorily protected activity, he suffered a materially adverse action, and there was some causal relation between the two events. *Burlington N.*, 548 U.S. 53. "After the plaintiff has established the elements of a claim, the employer has an opportunity to articulate a legitimate, non-retaliatory reason for the challenged employment action as an affirmative defense to liability." *Goldsmith v. Bagby Elevator Co.*, 513 F.3d 1261, 1277 (11th Cir. 2008). If the employer articulates a legitimate, non-discriminatory reason the plaintiff may prevail by establishing the employer's reason was pretext, by "demonstrat[ing] that

the proffered reason was not the true reason for the employment decision...by persuading the court that a discriminatory reason more likely motivated the employer or...by showing that the employer's proffered explanation is unworthy of credence." *Texas Dep't of Community Affairs v. Burdine*, 450 U.S. 248, 256 (1981).

As aforementioned, this Court recently articulated that the requisite level of harm suffered to bring a retaliation claim "is not limited to ultimate employment decisions." *Burlington N.* at 67. Instead, this Court held that the "anti-retaliation provision does not confine the actions and harms it forbids to those that are related to employment or occur at the workplace...the provision covers those...employer actions that would have been materially adverse to a reasonable employee...the employer's actions must be harmful to the point that they could well dissuade a reasonable worker from making or supporting a charge of discrimination." *Burlington N.* at 57. For example, "...[T]o retaliate by excluding an employee from a weekly training lunch that

contributes significantly to the employee's professional advancement might well deter a reasonable employee from complaining about discrimination." *Id.* at 69. In the case at hand, Petitioner participated in statutorily protected activities and the actions taken by Respondent, interfering with his right to engage in concerted union activity, threatening to put a bullet in his head, and tampering with his mail, would be materially adverse to a reasonable employee and could dissuade a reasonable employee from making or supporting a charge of discrimination.

Respondent Retaliated Against Petitioner for Filing an EEOC Claim by Interfering in His Right to Engage in Concerted Union Activity and by Denying his Weingarten Rights.

Filing an EEOC charge constitutes a statutorily protected activity. *Burlington N.* at 68. An employee's participation in union activity, filing a grievance with a union representative, and invoking Weingarten rights are also statutorily protected activities. 29 USCS Section 158(a)(1) ("An employer may not "interfere with, restrain, or coerce employees in the exercise of the rights

guaranteed in section 7 [29 USCS Section 157]"); 29 USCS Section 157 ("Employees shall have the right to...engage in other concerted activities for the purpose of...mutual aid or protection..."); Section 158(a)(2) (An employer may not "...interfere with the...administration of any labor organization..."); Section 158(a)(4) (An employer may not "discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this [National Labor Relations] Act"). Employees can invoke Weingarten rights; or the right to have union representation at investigatory interviews. *NLRB vs. Weingarten, Inc.* 420 U.S. 251 (1975). An investigatory interview occurs when a supervisor questions an employee to obtain information which could be used as a basis for discipline, or if an employee has a reasonable belief that discipline or other adverse consequences may result from what he or she says. *Id.*

On November 28, 2003 Petitioner filed an EEOC complaint based on Title VII race violations and alleging

that Respondent supervisor Willie Hightower acted hostilely toward him. Petitioner filed a notice with the Northern District of Florida stating that on January 6, 2004, Ms. Dickens, a supervisor, called Petitioner into her office about disciplinary actions she was taking against Petitioner relating to another incident involving Willie Hightower. *See Appendix B.* Petitioner invoked his Weingarten rights requesting the presence and assistance of a shop steward in relation to the disciplinary proceeding and left her office. *Id.* In retaliation for filing an EEOC claim, Respondent supervisor, Alan Scott, told a union shop steward

that he better not be caught talking to Petitioner on a work room floor, and that he better not see Petitioner talking to the other shop steward Mike Joyner. *See Appendix B, and Appendix C, Affidavit of Terry Joe Chapman.* One of Respondent's current employees and a shop steward, Terry Joe Chapman, provided a sworn affidavit on December 6, 2009, supporting Petitioner's contention that Respondent

denied his Weingarten rights. *See Appendix C.* Mr. Chapman stated "The supervisors including Allen Scott denied Kenneth Wills access to speak to a union steward on several occasions." *Id.* Respondent's retaliatory actions against Petitioner, interfering in concerted union activity and attempting to deny Petitioner's Weingarten rights, constitute statutory violations. On this count Respondent retaliated against Petitioner on two statutorily protected grounds: 1) Respondent retaliated against Petitioner by denying his Weingarten rights and interfering with his right to engage in concerted activity with union representatives after he filed a statutorily protected EEOC claim, and 2) retaliated against Petitioner for seeking to engage in concerted activity with union representatives for the purpose of mutual aid and protection by denying his Weingarten rights. Denying Petitioner's ability to participate in concerted union activity and denying his Weingarten rights could discourage reasonable employees from proffering or aiding in charges of discrimination under Title VII.

Upon examination of Petitioner's claims, the Northern District of Florida used the improper legal standard for determining the materiality of an adverse employment action. "An adverse employment action means either 'an ultimate employment decision' or some other decision that meets a 'threshold level of substantiality.'" *See Appendix C in Petitioner's Petition for Writ of Certiorari, Report and Recommendation of the United States District Court for the Northern District of Florida.* Erroneously, the court concluded that "Plaintiff has done nothing more than assert that Allan Scott retaliated and 'would not allow [Plaintiff] to talk to shop steward.' That fails under the substantiality test." *Id.* First, the Northern District of Florida erred by applying the improper legal standard, the "substantiality test." The proper legal standard established in *Burlington N.* is whether an action would be materially adverse to a reasonable employee and could discourage a reasonable employee from proffering or participating in statutorily protected activity under Title

VII. Secondly, the court erred by failing to consider that Respondent did more than prevent Petitioner from talking to a shop steward, in doing so Respondent denied Petitioner's Weingarten Rights and his right to participate in concerted union activity for his aid and protection. As such, this Court should grant Petitioner's Petition for Rehearing.

Respondent Retaliated Against Petitioner For Filing an EEOC Claim by Threatening to Put a Bullet in His Head.

On May 5, 2005 Petitioner filed an EEOC complaint based on Title VII violations. In the United States District Court for the Northern District of Florida Petitioner alleged in his Second Amended Complaint that Respondent Plant Manager Jerry Johnson retaliated against him for filing an EEOC complaint, and made verbal and physical threats against him when he called the police and said "I better not call unless I have a bullet in my head." *See Appendix C in Petitioner's Petition for Writ of Certiorari.* When considering Petitioner's claim the Northern District of

Florida used the improper legal standard for determining the materiality of an adverse employment action. "An adverse employment action means either 'an ultimate employment decision' or some other decision that meets a 'threshold level of substantiality.'" *Id.* Using this improper standard the court wrongfully decided on summary judgment that "[t]his alleged threat...is insufficient to state a claim for retaliation because there was no adverse employment action taken against Plaintiff." *Id.* As discussed above the proper legal standard is whether an employer's retaliatory action would deter a reasonable employee from making a charge of discrimination under Title VII. Allowing a Plant Manager to threaten to put a bullet in Petitioner's head for filing a charge of discrimination with the EEOC would certainly deter a reasonable employee from making a charge of discrimination. Thus, the Northern District of Florida erroneously applied the improper legal standard to analyze the material adversity of an employment action denying

Petitioner the protection afforded by the anti-retaliation provision as interpreted in *Burlington N.*

Petitioner contends that there is no conceivable legitimate and non-discriminatory reason that Respondent's can proffer for retaliating against

Petitioner by interfering with his rights to participate in concerted union activity for his protection and invoke his Weingarten rights, and for a plant manager threatening to "put a bullet in his head." If this Court found in Burlington N. that failing to invite an employee to a training lunch that would contribute to his or her career could be materially adverse, certainly denying Petitioner's rights to participate in concerted union activity for his mutual aid and protection, and a plant manager threatening to put a bullet in his head would be materially adverse, and could discourage a reasonable employee from making or supporting a charge of discrimination. As such, this Court should grant Petitioner's Petition for Rehearing.

B. Respondent Retaliated Against Petitioner for Filing an EEOC Claim and a Law Suit by Tampering with His Mail.

Petitioner filed suit against Respondent Postmaster General in the United States District Court for the Northern District of Florida on October 14, 2005 based upon Title VII claims. On October 10, 2007 Petitioner's mail carrier Percy G. Lewis signed a sworn affidavit stating that he had been instructed by one of Respondent supervisors to tamper with Petitioner's mail. *See Appendix A.* Filing a law suit, like filing an EEOC claim, is a statutorily protected activity. The anti-retaliation provision "prohibit(s) employer actions that are likely 'to deter victims of discrimination from complaining to the EEOC,' the courts, and their employers." *Burlington N.* at 68. The lower courts never addressed the affidavit of Percy G.

Lewis proffered by Petitioner when addressing his retaliation claims. Petitioner contends that not only should the affidavit carry significant evidentiary value to support its own instance of retaliation, but should be considered as

evidence toward Petitioner's other claims of retaliation and discrimination.

After Petitioner filed several EEOC claims and eventually a law suit against Respondent United States Postal Service, Petitioner questioned the integrity of his mail delivery and outgoing mail. *See Appendix D, Petitioner's Sworn Affidavit.* On numerous occasions Petitioner observed United States Postal Service vans stopping outside his home, and when he inquired about the driver's presence, the driver sped off. *Id.* Petitioner questioned several of his former coworkers about the incidents and discovered that his mail carrier Percy G. Lewis, received an order from a supervisor employed by Respondent, instructing him to tamper with Petitioner's mail. *See Appendix A.* Petitioner presented a sworn statement from Respondent's employee postal mail carrier Percy G. Lewis demonstrating that Respondent, through his employees, falsified documents showing the Petitioner received certified mail in a timely manner and by delivery to his person. Petitioner's mail carrier Percy G. Lewis,

> "was instructed by my station manager, Mr. Johny Sailor to take and deliver a certified letter to 2510 McElroy Street and to personally sign that it was delivered and leave it in the mailbox rather than leave it with someone. I told Mr. Sailor that this action was not in compliance with postal regulations and that it should not be done. Mr. Sailor at that time had me speak to a lady at the main postal facility at 2800 South Adams Street, Tallahasssee(sic), FL and she told me that I was to deliver the letter as instructed. I informed the lady that
>
> this was not in compliance with postal regulations and she told me it was to be done this way anyway. I turned to my station manager and told him that I would be doing this under duress because it did not comply with the postal regulations and went out and followed the order that I was given." *See Appendix A.*

When Petitioner discovered that Respondent ordered Percy G. Lewis to deliver certified mail to his mailbox and not to his person in compliance with postal regulations, Petitioner realized that the mail vans frequenting his residence had been removing the certified mail from his mailbox before he retrieved it. *See Appendix D.* Some of the mail Respondent tampered with related to Petitioner's EEOC charges and his legal claims. *Id.* Respondent's tampered with Petitioner's mail in retaliation for pursuit of his legal

claims in violation of Title VII's anti-retaliation provision. Although the act occurred outside the work environment and did not lead to an adverse or ultimate employment decision as Petitioner was no longer employed by Respondent, tampering with Petitioner's mail is exactly the type of materially adverse action *Burlington N.* sought to enjoin, as that behavior could well dissuade reasonable employees from making or supporting a charge of discrimination under Title VII. Petitioner further contends that the Respondent can offer no legitimate non-retaliatory reason for ordering its employee to fraudulently interfere with his mail.

This Court held in *Burlington N.* that a citizen's right to seek protection under Title VII is not a discretionary and that citizens should have unfettered access to remedial measures through which to enforce its substantive provisions.

If this Court allows Petitioner, one of the oldest administrative agencies of the United States, to retaliate against Petitioner by tampering with his mail for pursuing

his legal claims without consequence, this Court would undermine the holding in *Burlington N.* that sought to protect citizens' statutory right to bring and enforce Title VII claims.

III. CONCLUSION

For the foregoing reasons, the Petitioner respectfully requests this Court to grant his Petition for Rehearing.

Respectfully Submitted,

DARYL D. PARKS
Counselor of Record
BENJAMIN L. CRUMP
Parks and Crump, LLC
240 North Magnolia Drive
Tallahassee, Florida 32303
Counsel for Petitioner

December 10, 2009

CERTIFICATE OF GOOD FAITH BY COUNSEL

I Daryl D. Parks and, I Benjamin L. Crump, counselors for petitioner Kenneth Wills, certify that this Petition for Rehearing is presented in good faith and not for purposes of delay, and that it is restricted to the grounds specified in Supreme Court Rule 44 of the Rules of this Court.

/s/ Daryl D. Parks
Counsel for Petitioners

/s/ Benjamin L. Crump
Counsel for Petitioners

APPENDIX A

Affidavit of Percy G. Lewis

Reformatted to Supreme Court Rule 33.1(g)(xiii).

TO WHOM IT MAY CONCERN

FROM: PERCY G. LEWIS
5500 GUM RD.
TALLAHASSEE, FL 32304

ON A DATE THAT I DO NOT REMEMBER, I WAS INSTRUCTED BY MY STATION MANAGER, MR. JOHNY SAILOR TO TAKE AND DELIVER A CERTIFIED LETTER TO 2510 MCELROY STREET AND TO PERSONALLY SIGN THAT IT WAS DELIVERED AND LEAVE IT IN THE MAILBOX RATHER THAN LEAVE IT WITH SOMEONE.

I TOLD MR. SAILOR THAT THIS ACTION WAS NOT IN COMPLIANCE WITH POSTAL REGULATIONS AND THAT IT SHOULD NOT BE DONE. MR. SAILOR AT THAT TIME HAD ME SPEAK TO A LADY AT THE MAIN POSTAL FACILITY AT 2800 SOUTH ADAMS STREET, TALLAHASSEE, FL AND SHE TOLD ME THAT I WAS TO DELIVER THE LETTER AS INSTRUCTED. I INFORMED THE LADY THAT THIS WAS NOT IN COMPLIANCE WITH POSTAL REGULATIONS AND SHE TOLD ME IT WAS TO BE DONE THIS WAY ANYWAY.

I TURNED TO MY STATION MANAGER AND TOLD HIM THAT I WOULD BE DOING THIS UNDER DURESS BECAUSE IT DID NOT COMPLY WITH THE POSTAL

REGULATIONS AND WENT OUT AND FOLLOWED THE ORDER THAT I WAS GIVEN.

THE LADY THAT I SPOKE WITH I DON NOT REMEMBER HER NAME NOR DO I REMEMBER WHOSE OFFICE SHE WORKED OUT OF.

THE STATEMENT IS CORRECT AND TRUE TO THE BEST OF MY MEMORY.

/S/PERCY G. LEWIS 10-10-07

APPEARED BEFORE ME, PERCY G. LEWIS, ON 10TH DAY OF OCTOBER,

/S/JOHNNYE BELINDA MORRIS MY COMMISSION EXPIRES:2/3/2009
NOTARY PUBLIC

Type of Identification Produced: Personally Known
(Original document contains notary seal of Johnnye Belinda Morris)

APPENDIX B

Document filed in United States District Court for the Northern District of Florida

Reformatted to Supreme Court Rule 33.1(g)(xiii).

January 13, 2004(Revised January 25, 2007)

IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

KENNETH B. WILLS,

Plaintiff,

vs. **Case No. 4:05cv381-WS/WCS**

JOHN E. POTTER,
POSTMASTER GENERAL,

Defendant.

_____/

Mr. Willie Hightower on 12-23-03 called me to the office stating in a very hostile manner that I was ½ late to work on 12-20-03. (Mr. Hightower is not my immediate supervisor and is not responsible for my time and attendance.) However, Marilyn Dickens who was present at this time and my immediate supervisor and is responsible for my time and attendance had Mr. Hightower to address this issue

with me and he was very hostile and threatening. He told me that I better sign this 3971 slip or it was going to be some problems. I tried to explain to Mr. Hightower that I was not a ½ late but that I had left a ½ earlier at the end of the night in which I had been given the permission to leave a ½ earlier by a supervisor. Management was made aware of my not being late and that I was on time.

On 1-6-04, Ms. Dickens called me into the office about disciplinary actions that she was taking against me. I requested that she let a shop steward

handle all paper work concerning this matter and I left out the office. My shop steward later informed me that I needed to receive this paperwork and then turn it over to him. I then went back to Ms. Dickens and informed her of what the shop steward had said to me. Ms. Dickens refused to talk to me and my shop steward Vernon Rawls was a witness to this.

My shop steward later informed me that he was told by Alan Scott that he better not be caught talking to me on a work room floor and that I better not be seen talking to the other shop steward Mike Joyner. I feel that this is a violation of my constitutional rights and I feel discriminated against as these are my co-workers and I work with them and speak to them every-day.

Yours Truly,

/s/Kenneth B. Wills Sr.

APPENDIX C

Affidavit of Terry Joe Chapman

Reformatted to Supreme Court Rule 33.1(g)(xiii).

STATE OF FLORIDA

COUNTY OF LEON

AFFIDAVIT

Comes now Terry Joe Chapman, who, after being first duly sworn by me, deposes and says as follows:

1. I am currently employed by the United States Postal Service as an electronics technician in the maintenance department located at the Main Office facility at 2800 South Adams Street in Tallahassee, Florida 32301.
2. I formerly functioned as the President and Vice-President for union local 1519 of the American Postal Worker's Union.
3. I currently function as a shop steward for 1519 of the American Postal Worker's Union.
4. Kenneth Wills would inform me of certain situations on the shop floor in which I would advise him to speak to a union steward.
5. At the times Kenneth Wills approached me for advice he was my coworker and I also had various leadership positions within local 1519 of the American Postal Worker's Union.
6. The supervisors including Allen Scott denied Kenneth Wills access to speak to a union steward on several occasions.

FURTHER AFFIANT SAYETH NOT

/s/ Terry Joe Chapman

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 7th day of December 2009, by Terry Joe Chapman who is personally known to me or has produced FL Driver's License as identification and who did/ did not take an oath.

/s/ Jarian Lyons
Signature of Notary/Deputy Clerk

Jarian Lyons
Printed Name

(Original document contains notary seal of Jarian Lyons).

APPENDIX D

Affidavit of Kenneth B. Wills

Reformatted to Supreme Court Rule 33.1(g)(xiii).

STATE OF FLORIDA

COUNTY OF LEON

AFFIDAVIT

Comes now Kenneth B. Wills, who, after being first duly sworn by me, deposes and says as follows:

1. After I filed EEOC charges against my former employer the United States Postal Service, I noticed several instances in which United States Postal Services vans drove up to my residence, but not for the purpose of delivering or picking up mail.
2. When I approached the driver of one of the United States Postal Service vans and asked him what he was doing at my residence, he sped off.
3. After this incident I suspected that the United States Postal service was tampering with my mail, in retaliation for filing my EEOC claim.
4. I began to question former coworkers about the incidents involving the postal vans at my house, and I discovered that my mail carrier, Percy G. Lewis, received orders from his supervisor at the United States Postal Service Main Office in Tallahassee, Florida to tamper with my mail.
5. Percy G. Lewis was directed to forge my signature and certify that he delivered mail to my person, but instead leave the mail in my mailbox. Mr. Lewis signed a sworn affidavit confirming such.
6.

8. When I learned that Mr. Lewis was ordered to tamper with my mail and leave it in my mailbox, I realized that postal van I frequently saw outside my residence was there for the purpose of removing my certified mail from the mailbox before I could retrieve it.
9. The United States Postal Service tampered with my mail relating to EEOC charges that I filed, and I believe that they continued to tamper with my mail throughout my lawsuit in retaliation for pursuing a legal claim against them.

FURTHER AFFIANT SAYETH NOT

/s/ Kenneth B Wills

STATE OF FLORIDA

COUNTY OF LEON

The foregoing instrument was acknowledged before me this 8th day of December 2009, by Kenneth B. Wills who is personally known to me or has produced_____ as identification and who did/ did not take an oath.

/s/ Benjamin Crump

Signature of Notary/Deputy Clerk

Benjamin Crump

Printed Name

(Original document contains notary seal of Benjamin L. Crump).

List of Interested Parties

DARYL D. PARKS
Counsel of Record
BENJAMIN L. CRUMP
Parks and Crump, LLC
240 North Magnolia Drive
Tallahassee, Florida 32303
Counsel for Petitioner

Kenneth B. Wills
2510 McElroy St.
Tallahassee, FL 32310

E. Bryan Wilson III, Asst. United States Attorney
111 N. Adams St. Tallahassee, FL. 32301